

Public Health Privacy Notice

Public health encompasses everything from national smoking and alcohol policies, the management of epidemics such as flu, the control of large scale infections such as TB and Hepatitis B to local outbreaks of food poisoning or Measles. Certain illnesses are also notifiable; the doctors treating the patient are required by law to inform the Public Health Authorities, for instance Scarlet Fever.

This will necessarily mean the subjects personal and health information being shared with the Public Health organisations.

Some of the relevant legislation includes: the Health Protection (Notification) Regulations 2010 (SI 2010/659), the Health Protection (Local Authority Powers) Regulations 2010 (SI 2010/657), the Health Protection (Part 2A Orders) Regulations 2010 (SI 2010/658), Public Health (Control of Disease) Act 1984, Public Health (Infectious Diseases) Regulations 1988 and The Health Service (Control of Patient Information) Regulations 2002

1) Data Controller contact details

NHS Digital is the secure haven* for NHS patient data, a single secure repository where data collected from all branches of the NHS is processed. NHS Digital provides reports on the performance of the NHS, statistical information, audits and patient outcomes (<https://digital.nhs.uk/data-and-information>). Examples include; A/E and outpatient waiting times, the numbers of staff in the NHS, percentage target achievements, payments to GPs etc and more specific targeted data collections and reports such as the Female Genital Mutilation, general practice appointments data and English National Diabetes Audits. GPs are required by the Health and Social Care Act to provide NHS Digital with information when instructed. This is a legal obligation which overrides any patient wishes. These instructions are called “Directions”. More information on the directions placed on GPs can be found at <https://digital.nhs.uk/article/8059/NHS-England-Directions-> and www.nhsdatasharing.info

1) Data Controller contact details

Dr Chinwe Nwokoma
Mount Group Practice
54 Thorne Road
Doncaster
DN1 2JP

2) Data Protection Officer contact details

Dr Dean Eggitt
The Oakwood Surgery
Masham Road
Cantley
Doncaster
DN4 6BU

3) Purpose of the processing

To provide the Secretary of State and others with information and reports on the status, activity and performance of the NHS. The provide specific reporting functions on indentified

4) Lawful basis for processing

The legal basis will be

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| | | <p><i>Article 6(1)(c) “processing is necessary for compliance with a legal obligation to which the controller is subject.”</i></p> <p>And</p> <p><i>Article 9(2)(h) “processing is necessary for the purposes of preventive or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services on the basis of Union or Member State law or pursuant to contract with a health professional and subject to the conditions and safeguards referred to in paragraph 3;”</i></p> |
| | <p>5) Recipient or categories of recipients of the shared data</p> | <p>The data will be shared with NHS Digital according to directions which can be found at https://digital.nhs.uk/article/8059/NHS-England-Directions-</p> |
| | <p>6) Rights to object</p> | <p>You have the right to object to some or all of the information being shared with NHS Digital. Contact the Data Controller or the practice.</p> |
| | <p>7) Right to access and correct</p> | <p>You have the right to access the data that is being shared and have any inaccuracies corrected. There is no right to have accurate medical records deleted except when ordered by a court of Law.</p> |
| | <p>8) Retention period</p> | <p>The data will be retained for active use during the processing and thereafter according to NHS Policies and the law.</p> |
| | <p>9) Right to Complain.</p> | <p>You have the right to complain to the Information Commissioner’s Office, you can use this link https://ico.org.uk/global/contact-us/</p> <p>or calling their helpline Tel: 0303 123 1113 (local rate) or 01625 545 745 (national rate)</p> <p>There are National Offices for Scotland, Northern Ireland and Wales, (see ICO website)/</p> |
| | <p>* The BMA has serious concerns regarding the status of NHS Digital as a “safe haven” and is not confident it has acted as a secure repository for patient data. See (https://www.bma.org.uk/-/media/files/pdfs/collective%20voice/influence/uk%20governments/bma-submission-to-hoc-health-cttee-on-the-mou_final.pdf?la=en)</p> | |
| <p>2) Data Protection Officer contact details</p> | <p>Dr Dean Eggitt The Oakwood Surgery Masham Road Cantley Doncaster DN4 6BU</p> | |

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| 3) Purpose of the processing | There are occasions when medical data needs to be shared with Public Health England, the Local Authority Director of Public Health, or the Health Protection Agency, either under a legal obligation or for reasons of public interest or their equivalents in the devolved nations. |
| 4) Lawful basis for processing | <p>The legal basis will be</p> <p>Article 6(1)(c) “processing is necessary for compliance with a legal obligation to which the controller is subject.”</p> <p>And</p> <p>Article 9(2)(i) “processing is necessary for reasons of public interest in the area of public health, such as protecting against serious cross-border threats to health or ensuring high standards of quality and safety of health care and of medicinal products or medical devices,..”</p> |
| 5) Recipient or categories of recipients of the shared data | The data will be shared with Public Health England https://www.gov.uk/government/organisations/public-health-england and equivalents in the devolved nations. |
| 6) Rights to object | You have the right to object to some or all of the information being shared with the recipients. Contact the Data Controller or the practice. |
| 7) Right to access and correct | You have the right to access the data that is being shared and have any inaccuracies corrected. There is no right to have accurate medical records deleted except when ordered by a court of Law. |
| 8) Retention period | <p>The data will be retained for active use during the period of the public interest and according to legal requirements and Public Health England’s criteria on storing identifiable data</p> <p>https://www.gov.uk/government/organisations/public-health-england/about/personal-information-charter.</p> |
| 9) Right to Complain. | <p>You have the right to complain to the Information Commissioner’s Office, you can use this link https://ico.org.uk/global/contact-us/</p> <p>or calling their helpline Tel: 0303 123 1113 (local rate) or 01625 545 745 (national rate)</p> <p>There are National Offices for Scotland, Northern Ireland and Wales, (see ICO website)/</p> |